

**Adopted Minutes
Spanish Fork City Council Meeting
September 7, 2010**

Elected Officials Present: Mayor G. Wayne Andersen, Councilman Steve Leifson, Rod Dart, Richard M. Davis, Jens P. Nielson, Keir A. Scoubes.

Staff Present: David Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Richard Heap, Public Works Director; Dale Robinson, Park & Recreation Director; Dee Rosenbaum, Public Safety Director; Trapper Burdick, Assistant City Engineer; Kent Clark City Recorder/Finance Director; Angie Warner, Deputy Recorder.

Citizens Present: Steve Painter, Bjorn Pendleton, Alexis Porter, JC Snyder, Nichole Weiss, Josh Chappell, Nathan Chappell, Cary Hanks, Lana Harris, Jordan Norton.

CALL TO ORDER, PLEDGE, RECOGNITION:

Mayor Andersen called the meeting to order at 6:00p.m.

Councilman Leifson led in the pledge of allegiance.

Employee of the Quarter

Seth Perrins recognized Trapper Burdick for the Employee of the Quarter.

PUBLIC COMMENTS:

Bjorn Pendleton wanted to remind everyone of the Harvest Moon Hurrah that will be Saturday September 18th. Mr. Pendleton highlighted some of the events and activities that will be there.

Josh Chappell stated that they have built a home on a flag lot that received the Certificate of Occupancy back in February. It was built with and inspected with 10 foot wide driveway and now the city is requiring us to have a 20 foot wide driveway.

Junior Baker referred Mr. Chappell to the City Council because there is not an ordinance and the City does not allow flag lots anymore. His only option is to meet the 20 foot wide standard.

Mayor Andersen asked if this item could go back to DRC and Planning Commission.

Nathan Chappell said they spoke to Planning Commission and they said it is out of their hands.

Mayor Andersen said that we will take this information and find a solution.

Dave Anderson stated that we allowed them to post a bond that has been put in place so the city has some guarantee that the driveway will be finished to the 20 foot width. The plan was approved with a 20 foot wide driveway.

Councilman Leifson said we will talk with City staff and find out what needs to be done.

Cary Hanks with the Spanish Fork/Salem Chamber of Commerce said the scarecrow contest will start the first part of October. They will also be holding their 1st Annual Shop Local Business Fair on September 16th at the North Park Pavilion. Contact the Chamber if you want to be a vendor and it is free to the public to attend.

COUNCIL COMMENTS:

Councilman Davis said the North Park dedication was great, a lot of public showed up. He thanked Ryan Baum, the project manager, for this project; also, Bart Morrill and Trapper Burdick along with many others. He thanked everyone for helping get the grand opening ready.

Councilman Leifson expressed how great the North Park Grand Opening was. What a great facility for our citizens and the public. He also thanked all the volunteers.

Councilman Dart reported that he spoke with Bill Bushman from our Parks and Recreation Department and the City will be replacing some of the trees along Main Street because they have become too large and damaging the area around them.

Councilman Scoubes invited the public to the Harvest Moon Hurrah and thanked the volunteers that help put this event together.

Mayor Andersen thanked everyone for the North Park Grand Opening. We were recognized as the "Fairest of the All" at the County Fair. They estimated approximately 40,000 people attended. So we had free ice cream at the North Park Grand Opening for winning the contest. This Thursday, September 9th at noon is the ceremony for The Moving Wall at the cemetery. The public is invited September 9th through the 13th, 8am to 10pm. Mayor Andersen thanked the committee for putting this event together.

Councilman Leifson made a **Motion** to move into Public Hearing to discuss the 2011 FY Budget. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:30 p.m.

PUBLIC HEARING:

2011 FY Budget

Kent Clark presented the 2011 FY Budget Revision #1. He highlighted and explained some of the changes.

Mayor Andersen welcomed any public comment.

No public comment.

Councilman Davis made a **Motion** to move out of Public Hearing. Councilman Nielson **Seconded** and the motion **Passed** all in favor at 6:36 p.m.

Councilman Dart made a **Motion** to approve the 2011 FY Budget Revision #1. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Councilman Davis made a **Motion** to move into Public Hearing to discuss the Proposed Zoning Text Amendment.

Councilman Leifson **Seconded** and the motion **Passed** all in favor at 6:37 p.m.

Proposed Zoning Text Amendment – The proposed Amendment would permit the construction of privately-owned wind turbines throughout the City.

Dave Anderson stated that this item proposed would amend Title 15. Planning Commission recommends a change of the maximum height of the wind turbine from 45ft to 55ft. This ordinance would be effective in any zone considering the setback requirements are met.

Steve Painter with West Mountain Wind and Solar is concerned about the describing distance from the blades to the ground. He understands it is 20ft from the roof of the home or a structure for safety issues.

Mayor Andersen read the ordinance and it states nothing about a distance from the roof of the home. It states 20ft from the ground, an accessory building, fence or wall.

Councilman Dart made a **Motion** to move out of Public Hearing.

Councilman Nielson **Seconded** and the motion **Passed** all in favor at 6:46 p.m.

Councilman Dart asked what the safety issues that were brought up in Development Review Committee meeting.

Junior Baker stated that there was discussion of worst case scenario and the turbine falls on the neighboring lot. We feel good about the standards that we have put in.

Discussion took place about the clearance area.

Councilman Leifson expressed that he does not want turbines in town.

Councilman Davis feels the same as Councilman Leifson. He said that having a wind turbine isn't going to generate that much.

Councilman Scoubes asked about addressing the rooftop turbines as well.

Dave Anderson replied that no one has requested that subject. The proposal was for the free standing turbine so that is what we addressed.

Councilman Davis asked what would be the best way to reach the citizens to get their feedback on these going into neighborhoods.

Dave Anderson replied that we can put the question out in the utility bill or have a survey on the website.

Councilman Davis suggests we table this item and get some feedback of what the citizens want.

Mayor Andersen agrees with Councilman Davis.

Seth Perrins suggested that we can put it in the city newsletter, the city website or the press.

Dave Oyler said the best way is for the council to go out there and speak with the citizens and get their feedback.

Councilman Nielson made a **Motion** to approve the Proposed Zoning Text Amendment Ordinance 17-10 establishing zoning criteria for small wind towers with the amended 55 foot height requirement.

Councilman Scoubes **Seconded** the motion.

Councilman Nielson - Aye

Councilman Davis - Nay

Councilman Leifson - Nay

Councilman Dart - Nay

Councilman Scoubes - Aye

The Motion **Failed** with 2 to 3 vote.

Councilman Nielson left at 7:22pm

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting - August 17, 2010
- b. Wiggy Wash Connector's Agreement
- c. HVAC Preventive Maintenance Contract

Councilman Leifson made a **Motion** to approve the consent items.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

NEW BUSINESS:

Water Refunding Bond Update

Kent Clark said at the last meeting the City Council approved this item to negotiate the day we lock in to an interest rate to refund the 2002 Water Bonds. The true interest rate at the end was 1.72%. With the remaining life of the bond, until 2017, the City will save \$50,000 plus per year for the remaining seven years. This update was for informational purposes only. No action was required.

North Park Connector Trail #1

Richard Heap presented the North Park Connector Trail Change Order #1. This project needs to be completed this fall. We are proposing we use the same contract that we already have with Sunroc for the Spanish Fork River Trail. Sunroc will stay with the same unit prices and have it done by the deadline for the NRCS Grant.

Councilman Leifson made a **Motion** to approve the North Park Connector Trail Change Order #1.
Councilman Dart **Seconded** and the motion **Passed** all in favor.

Dave Oyler informed everyone that the next City Council meeting will be rescheduled from September 21st to Thursday, September 23rd. Also, I-15 will be closed this Wednesday and Thursday during the night.

Councilman Dart made a **Motion** to adjourn.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 7:30 p.m.

ADJOURN:

ADOPTED: September 23, 2010

Angie Warner, Deputy Recorder